

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition of )  
the Monterey Regional County )  
Sanitation District for Review )  
and Stay of Order No. 77-03 )  
(NPDES Permit No. CA0048186) of )  
the California Regional Water )  
Quality Control Board, Central )  
Coast Region. Our File No. A-178. )

WQ 77-25

BY THE BOARD:

On July 8, 1977, the California Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted Order No. 77-03, a cease and desist order requiring the Seaside County Sanitation District, Monterey County, to cease and desist discharging waste in violation of waste discharge requirements.

On August 9, 1977, the Monterey Regional County Sanitation<sup>1/</sup> District (petitioner) filed with the State Board a petition for review and request for stay of Order No. 77-03. The request for stay was temporarily held in abeyance pending clarification by the petitioner of the terms of Order No. 77-03. The petitioner now wishes to proceed with the request for stay and the petition for review.

The petitioner owns and operates an "advanced" primary treatment facility with a design capacity of 2.0 MGD. The District currently discharges an average of 1.52 MGD of treated domestic

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1. On July 1, 1977, the ownership of and the responsibility for operation and maintenance of the Seaside treatment plant were transferred to the Monterey Regional County Sanitation District.

sewage to the Pacific Ocean via an 850 foot outfall offshore from Sand City, Monterey County.

The requirements found in violation by Order No. 77-03 are effluent residual chlorine limitations, receiving water coliform limitations and the standard provision which requires that the discharger shall maintain the facility in good working order and conduct operations as efficiently as possible.

The violations of waste discharge requirements are occasioned by breaks in and other problems with the ocean outfall which began in early 1973. The record discloses that the District has undertaken some attempts to repair the outfall over the years, but without continuing success. Coliform and chlorine residual limitation violations have been significant. On May 16, 1977, the EPA issued a Finding of Violation for this facility.

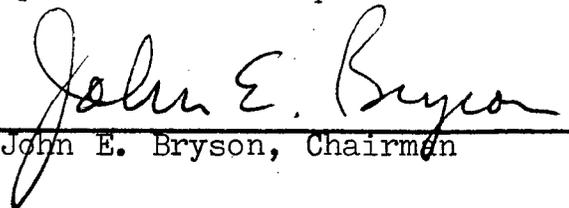
The petitioner does not deny that the chlorine residual and coliform limitations are being violated. In view of these noncontroverted violations and of the fact that the sub-regional project will not be completed until 1982 at the earliest,<sup>2/</sup> we find that the violations of limitations must be abated in some manner by the petitioner. The hearing transcript and petitioner's submittals

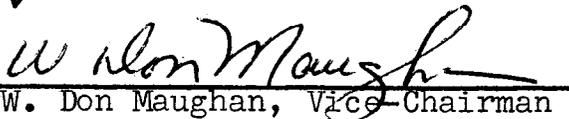
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2. See testimony of Robert Jaques, July 5, 1977, transcript of public hearing, pp. 58 and 59. The petitioner has assumed responsibility of implementation of the Regional Wastewater System which will serve all of northern Monterey County. The Seaside plant and outfall will be eliminated and replaced with a pump station discharging raw wastewater into an interceptor tributary to the Regional treatment plant.

to the Regional Board indicate that several alternative approaches exist for abatement of violations of limitations. Granting a stay order would only serve to delay the selection process. While petitioner alleges that substantial financial hardship will result if a stay is not granted, we question the validity of this statement as they have not chosen a method to abate the discharge and, therefore cannot analyze the specific financial hardship.

THEREFORE IT IS ORDERED and petitioner's request for stay is denied.

Dated: October 20, 1977

  
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John E. Bryson, Chairman

  
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W. Don Maughan, Vice-Chairman

  
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W. W. Adams, Member